

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEWIS R. SOUTHARD ,

Petitioner,

v.

JASON BENNETT ,

Respondent.

CASE NO. 2:24-cv-01146-JHC-BAT

ORDER OF DISMISSAL

Having reviewed *de novo* the Report and Recommendation (R&R) of the assigned United States Magistrate Judge, Dkt. # 4, and the record, the Court ORDERS:

(1) The Court agrees with the R&R – to which no timely objection has been filed. Petitioner has not submitted an IFP application or paid the filing fee. Also, the petition is untimely. Further, Petitioner’s claim lacks merit. And no reasonable jurist would conclude that Petitioner is entitled to relief. Accordingly, the Court ADOPTS the R&R.

(2) The case is dismissed with prejudice. Issuance of a certificate of appealability is denied.

(3) The Clerk shall provide Petitioner a copy of this order.

/

/

1 Dated this 13th day of September, 2024.

2 

3 JOHN H. CHUN
4 United States District Judge
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23